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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,916	10/20/2003	Susumu Sakamoto	117565	2272
25944	7590	08/24/2005		
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			EXAMINER KEANEY, ELIZABETH MARIE	
			ART UNIT	PAPER NUMBER
			2882	

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/687,916

Applicant(s)

SAKAMOTO, SUSUMU

Examiner

Elizabeth Keaney

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) 10-14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 7-9 is/are rejected.
- 7) ☒ Claim(s) 4-6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/20/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-9, drawn to a flat panel device, classified in class 313, subclass 583.
- II. Claims 10-14, drawn to a method of manufacturing a flat panel device, classified in class 445, subclass 25.

The inventions are distinct, each from the other because of the following reasons:

Inventions Group I and Group II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the device can be manufactured by depositing the metallic thin sheets and heating the sheets simultaneously.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

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During a telephone conversation with Phil Caramanica on 4 August 2005 a provisional election was made without traverse to prosecute the invention of Group I, claims 1-9. Affirmation of this election must be made by applicant in replying to this Office action. Claims 10-14 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Keiner et al. (US Patent 4,113,896; hereinafter Keiner)

Re claim 1: Keiner discloses, in figure 2 and throughout the disclosure, a flat panel display device comprising:

- a transparent first plate (2) and a second plate (5) which are disposed in parallel with each other and cooperate to define therebetween an air-tight space (9) in which light is generated for emission through the first plate;
- a sealing material (6) for air-tightly sealing the air-tight space along a periphery of the first and second plates (column 2, lines 59-62); and
- metallic thin sheets (7) bonded with the sealing material to end faces of the first and second plates such that the metallic thin sheets cover the end faces.

Re claim 2: Keiner discloses, in figure 2 and throughout the disclosure, the flat panel device further comprising:

- a plurality of internal conductors (3,4) disposed between the first and second plates, each of the plurality of internal conductors having one end located near the end faces; and
- a plurality of lead conductors (1,8) provided on surfaces of the metallic thin sheets which face the end faces of the first and second plates, the plurality of lead conductors being electrically connected to the internal conductors (column 2, lines 62-66).

Re claim 3: Keiner discloses, in figure 2 and throughout the disclosure, each of the plurality of lead conductors (1,8) has one end portion which extends in a direction substantially parallel to inner surfaces of the first (2) and second (5) plates, toward inner portions of the first and second plates, the each lead conductor being electrically connected at the one end portion thereof to the corresponding one of the plurality of internal conductors (3,4; column 2, line 62- column 3, line 11).

Claims 1 and 7-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Kotsubo et al. (US Patent Application Publication 2002/0039004; hereinafter Kotsubo).

Re claim 1: Kotsubo discloses, in figures 1 and 3 and throughout the disclosure, a flat panel display device (20) comprising:

- a transparent first plate (21) and a second plate (22) which are disposed in parallel with each other and cooperate to define therebetween an air-tight space in which light is generated for emission through the first plate;
- a sealing material (7B) for air-tightly sealing the air-tight space along a periphery of the first and second plates; and
- metallic thin sheets (7A) bonded with the sealing material to end faces of the first and second plates such that the metallic thin sheets cover the end faces.

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Re claim 7: Kotsubo discloses, in figure 1 and throughout the disclosure, each of the metallic thin sheets (7A) includes an end face portion covering the end faces of the first and second plates, and a back surface portion which extends from the end face portion and covers a back surface of the second plate, the back surface portion being provided for pressing contact with a heat dissipating member fixed to a frame member when the flat panel display device is attached to the frame member (paragraph 92, lines 4-7).

Re claim 8: Kotsubo discloses, in figure 1 and throughout the disclosure, an electromagnetic wave absorbing film (paragraph 41) which is formed on a front surface of the first plate and which is connected at a peripheral portion thereof to the metallic thin sheets.

Re claim 9: The Examiner notes that the limitation "used as...display surface" is drawn towards an intended use of the device and is therefore not given any patentable weight.

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Kishi et al. (US Patent 6,528,944; hereinafter Kishi).

Kishi discloses, in figure 5 and throughout the disclosure, a flat panel display device comprising:

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- a transparent first plate (82) and a second plate (80) which are disposed in parallel with each other and cooperate to define therebetween an air-tight space in which light is generated for emission through the first plate;
- a sealing material (84) for air-tightly sealing the air-tight space along a periphery of the first and second plates; and
- metallic thin sheets (86) bonded with the sealing material to end faces of the first and second plates such that the metallic thin sheets cover the end faces.

Allowable Subject Matter

Claims 4-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Re claim 4: The best prior art teaches a flat panel display device having many of the features included in claims 1 and 2, including the metallic thin sheets. However, the prior art fails to teach or fairly suggest a flat panel display device wherein the metallic thin sheets having a surface covered by a layer of a dielectric material, and the plurality of lead conductors are strips of an electrically conductive material formed on the layer of the dielectric material, as claimed in claim 4.

Re claim 5: The best prior art teaches a flat panel display device having many of the features included in claims 1 and 2. However, the prior art fails to teach or fairly suggest a flat panel display device further comprising a plurality of external conductors which are provided on a back surface of the second plate and which are electrically connected to the plurality of lead conductors, respectively, as claimed in claim 5.

Re claim 6: The best prior art teaches a flat panel display device having many of the features included in claims 1 and 2, including the metallic thin sheets. However, the prior art fails to teach or fairly suggest a flat panel display device wherein each of the metallic thin sheets is an L-shaped sheet that is L-shaped in transverse cross section and consists of two portions one of which faces the end faces of the first and second plates and the other of which faces a back surface of the second plate, each of the plurality of lead conductors being provided on one surface of the L-shaped sheet and L-shaped following the one surface of the L-shaped sheet, as claimed in claim 6.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US Patent Application Publication 2004/0160184 discloses many of the features of the current application, however it was filed after the instant application.

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- US Patent 5,876,260 discloses a flat panel display having metal sheets, however there is no sealing material because the metal sheets are used during manufacturing and are not part of the final device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth Keaney whose telephone number is (571)272-2489. The examiner can normally be reached on Monday, Tuesday, Thursday, Friday 7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Glick can be reached on (571)272-2490. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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DAVID V. BRUCE
PRIMARY EXAMINER